



1761

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: KILIBWA :  
Serial No.: 08/796,305 : Group Art Unit: 1761  
Filed: February 7, 1997 : Examiner: Tran Lien, T.  
For: POLYEXTROSE AS ANTI-STALING : Attorney Docket No.:  
AGENT : DANI06USCON

TRANSMITTAL LETTER

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith please find the following:

- ☒ Amendment (12pgs)  
☒ Marked-up version of claims (4pgs)  
☒ Petition and Request for Extension of Time – Three Months  
☒ Check in the amount of \$930.00 for extension fees.  
☒ Check in the amount of \$144.00 for the presentation of 8 additional claims.

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CLAIMS	NUMBER OF CLAIMS PREVIOUSLY PAID FOR	NUMBER EXTRA	RATE SMALL ENTITY	RATE \$750.00	TOTAL ADDITIONAL CLAIM FEE
Total Claims	33	8	X \$ 9.00	X \$ 18.00	\$144.00
Independent Claims	5	0	X \$ 42.00	X \$ 84.00	0
Multiple Dependent Claims (if applicable)			+ \$ 140.00	+ \$280.00	0
				<b>TOTAL AMOUNT DUE</b>	<b>\$144.00</b>

Certificate of Mail Under 37 CFR 1.8

Date: January 23, 2003

I hereby certify that this paper, along with any document or paper referred to as being attached, is being deposited with the United States Postal Service as first class mail under 37 CFR 1.8 on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Jayne Webb  
Name of person mailing correspondence

Jayne Webb  
Signature of person mailing correspondence

The Commissioner is hereby authorized to charge any additional fees which may be required under 37CFR 1.16 or credit any overpayment to Deposit Account No. 50-0462. A duplicate copy of this sheet is enclosed.

Date: 1/23/03

Respectfully submitted,

  
\_\_\_\_\_  
Kevin J. Dunleavy  
Registration No. 32,024

Customer No. 21302  
KNOBLE & YOSHIDA, LLC.  
Eight Penn Center  
1628 John F. Kennedy Blvd.  
Suite 1350  
Philadelphia, PA 19103  
Direct Dial: (215) 599-0606  
Facsimile: (215) 599-0601

E-mail: [kjdunleavy@patentwise.com](mailto:kjdunleavy@patentwise.com)



#38 F/PM 3-28-03

PATENT  
DANI-0006USCON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Margaret KILIBWA ) Group Art Unit: 1761  
Serial No.: 08/796,305 ) Examiner: Thuy Tran Lien  
Filed: February 7, 1997 ) Responsive to Paper No. 37  
Title: POLYDEXTROSE AS )  
ANTI-STALING AGENT )

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I certify that this document, along with any document referred to as being attached, is being deposited with the U.S. Postal Service on January 23, 2003 as first class mail under 37 C.F.R. § 1.8 and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Lynne Webb  
Name of person signing document

Lynne Webb  
Signature of person signing document

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

This is a response to the Office Action dated July 23, 2003. This response is timely due to the concurrent filing of a petition for a three-month extension of time and extension fee. In response to the Office Action dated July 23, 2002, please reconsider the rejections therein in light of the amendments and reasoning set forth below.

IN THE SPECIFICATION

Please delete the paragraph on page 7 at lines 15 to 20 and replace it with the following text:

-- In one embodiment, polydextrose is used in combination with emulsifier. Optionally, such an emulsifier can include glyceryl monostearate, mono-diglycerides, sodium stearyl lactylate and Datem (diacetyl tartaric esters of mono- and diglycerides). In another embodiment, polydextrose is used in

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F1 combination with an enzyme or in combination with an enzyme and an emulsifier. Suitable enzymes could include bacterial and fungal amylases, pullulanase, amyloglucosidase, pentosanase, xylanase, and maltogenic  $\alpha$ -amylase. - -

A copy of this paragraph, with amendments marked, appears in Appendix I, which is enclosed with the present Response.

### IN THE CLAIMS

30. (Five Times Amended) A method of making a baked product having improved anti-staling properties, the method comprising the steps of:

F2 forming a baking dough by combining flour, yeast, water, and water-soluble polydextrose anti-staling agent in an amount of from 1 percent to 5 percent by weight, based on the weight of the flour; and  
baking the dough.

F3 33. (Amended) The method of claim 32 wherein said baking dough is prepared by means of a process selected from the group consisting of straight dough processes, sour dough processes, Chorleywood bread processes, and sponge and dough processes.

36. (Amended) The method of claim 30 wherein said baking dough further comprises fiber. allow

F4 37. (Amended) The method of claim 30 wherein said baking dough further comprises one or more enzymes with anti-staling properties.

38. (Twice Amended) The method of claim 37 wherein said one or more enzymes are selected from the group consisting of amylase, pullulanase, amyloglucosidase, pentosanase, xylanase, and maltogenic  $\alpha$ -amylase.

39. (Four Times Amended) A method of making a baked bread product having improved anti-staling properties, the method comprising the steps of: